

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE:)	
)	
Caryn S. Falcone,)	Case No. 23-20223 JAD
<i>Debtor</i>)	Chapter 13
)	Docket No.
Caryn S. Falcone,)	
<i>Movant</i>)	
)	
vs.)	Related to Doc. #77
)	
PNC Bank, Borough of Bridgeville, Chartiers)	
Valley SD, Allegheny County, and Ronda)	
Winnecour, Trustee,)	
<i>Respondents</i>)	

ORDER CONFIRMING CHAPTER 13 SALE OF PROPERTY
FREE AND DIVESTED OF LIENS

AND NOW, this 30th of April, 2024, on consideration of the Debtor's Motion for Sale of Property Free and Divested of Liens to Beyond Estates Investments, LLC, for \$215,000.00, after hearing held, this date, the Court finds:

- (1) That service of the Notice of Hearing and Order setting hearing on said Motion for private sale of real property free and divested of liens of the above-named Respondent, was effected on the following secured creditors whose liens are recited in said Motion for Private sale, viz:

DATE OF SERVICE **NAME OF LIENOR AND SECURITY**

April 3, 2024	Chartiers Valley School District % Jeffrey Hunt, Esq. GRB Law 525 William Penn Place, Suite 3110 Pittsburgh, PA 15219
April 3, 2024	Borough of Bridgeville % Jeffrey Hunt, Esq. GRB Law 525 William Penn Place, Suite 3110 Pittsburgh, PA 15219
April 3, 2024	County of Allegheny % Jeffrey Hunt, Esq. GRB Law 525 William Penn Place, Suite 3110 Pittsburgh, PA 15219
April 3, 2024	PNC Bank PO Box 94982 Cleveland, OH 44101

April 3, 2024

PNC Bank
% Denise Carlon, Esq.
KML Law Group, P.C.
701 Market Street, Suite 5000
Philadelphia, PA 19106

April 3, 2024

Ronda J. Winnecour
Suite 3250, USX Tower
600 Grant Street
Pittsburgh, PA 15219

- (2) That sufficient general notice of said hearing and sale, together with the confirmation hearing thereon, was given to the creditors and parties in interest by the moving party as shown by the certificate of serviced duly filed and that the named parties were duly served with the Motion.
- (3) That said sale hearing was duly advertised on the Court's website pursuant to *W.P.A LBR 6004-1(c)(2)* on April 3, 2024. Further advertisement was not necessary under *W. PA. LBR 6004-2(a)*.
- (4) That at the sale hearing the highest/best offer received was that of the above Purchasers and no objections to the sale were made which would result in cancellation of said sale.
- (5) That the price of \$215,000.00 by Beyond Estates Investments, LLC was a full and fair price for the property in question.
- (6) That the Buyer has acted in good faith with respect to the within sale in accordance with *In Re: Abbotts Dairies of Pennsylvania, Inc.*, 788 F2d.143 (*3d Cir. 1986).

Now therefore, **IT IS ORDERED, ADJUDGED AND DECREED**, that the sale by Special Warranty deed of the real property described 1349 Pesavento Dr., Bridgeville, PA 15017 in Allegheny County is hereby **CONFIRMED** to Beyond Estates Investments, LLC for \$215,000.00, free and divested of the above recited liens and claims, and, that the Movants are authorized to make, execute and deliver to the Buyers above named the necessary deed and/or other documents required to transfer title to the property purchased upon compliance with the terms of sale;

IT IS FURTHER ORDERED, that the above recited liens and claims, be, and they hereby, are, transferred to the proceeds of sale, if and to the extent they may be determined to be valid liens against the sold property, that the within decreed sale shall be free, clear and divested of said liens and claims;

FURTHER ORDERED, that the following expenses/costs shall immediately be paid at the time of closing. ***Failure of the closing agent to timely make and forward the disbursements required by this Order will subject the closing agent to monetary sanctions***, including among other things, a fine or the imposition of damages, after notice and hearing, for failure to comply with the above terms of this Order. Except as to the distribution specifically authorized herein, all remaining funds shall be held by Counsel for Movant pending further Order of this Court after notice and hearing.


- (1) The following liens(s)/claim(s) and amounts; PNC Bank in the approximate amount of \$75,420.25; County of Allegheny in the approximate amount of \$538.85; Chartiers Valley School District in the approximate amount of \$4,906.67; and Borough of Bridgeville in the approximate amount of \$35.88. The exact pay-off amounts will be determined when the closing agent obtains the pay-offs at the time of the closing. **The mortgage will be paid in full at the time of closing;**
- (2) Delinquent real estate taxes and municipal fees, if any;

- (3) Current real estate taxes, pro-rated to the date of closing;
- (4) Normal closing costs including title search, legal fees, revenue stamps, and any other normal and necessary closing costs;
- (5) The Court approved realtor commission in the amount of 6% plus \$425;
- (6) The Court approved attorney fees in the amount of \$4,695.00 payable to Steidl & Steinberg, P.C. 707 Grant Street, Gulf Tower-Suite 2830, Pittsburgh, PA 15219;
- (7) The Court filing fee of \$199.00 payable to Steidl & Steinberg, P.C. 707 Grant Street, Gulf Tower-Suite 2830, Pittsburgh, PA 15219;
- (8) Chapter 13 Trustee "percentage fees" in the amount of \$ 1,909.55 payable to "Ronda J. Winnecour, Ch. 13 Trustee, P. O. Box 2587, Pittsburgh, PA 15230";
- (9) The Debtor is to receive up to \$27,900.00 pursuant to 11 U.S.C. §522(d)(1); and,
- (10) The "net proceeds" from the closing as identified on the ALTA or HUD-1 to the Chapter 13 Trustee payable to "Ronda J. Winnecour, Ch. 13 Trustee, P. O. Box 84051, Chicago, IL 60689-4002;";
- (11) Other: n/a.

FURTHER ORDERED that:

- (1) ***Within seven (7) days of the date of this Order***, the Movants/Plaintiffs shall serve a copy of the within *Order* on each Respondents/Defendants (i.e., each party against whom relief is sought) and its attorney of record, if any, upon any attorney or party who answered the motion or appeared at the hearing, the attorney of the Debtors, the Closing Agent, the Purchasers, and the attorney for the Purchasers, if any, and file a certificate of service.
- (2) ***Closing shall occur within ninety (90) days of this Order.***
- (3) ***Within seven (7) days following closing***, the Movants/Plaintiffs shall file a ***Report of Sale*** which shall include a copy of the HUD-1 or other Settlement Statement; and,
- (4) This *Sale Confirmation Order* survives any dismissal or conversion of the within case.
- (5) The sale of the property is "as is, where is".
- (6) The U.S. Bankruptcy Court retains jurisdiction over any litigation associated with this sale.
- (7) Counsel for the Debtors is to serve this Order on the Debtor. **It is the responsibility of the Debtors to ensure that this signed Order is served on the real estate agent. It is the real estate agent's responsibility to ensure that this Order reaches the closing agent and that distribution occurs in accordance with this signed Order of Court.**

4/30/2024



Honorable Jeffery A. Deller
United States Bankruptcy Judge

FILED
4/30/24 1:04 pm
CLERK
U.S. BANKRUPTCY
COURT - WDPA

In re:
Caryn S. Falcone
Debtor

Case No. 23-20223-JAD
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2
Date Rcvd: Apr 30, 2024

User: auto
Form ID: pdf900

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 02, 2024:

Recip ID	Recipient Name and Address
db	+ Caryn S. Falcone, 1349 Pesavento Dr., Bridgeville, PA 15017-2615

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: May 02, 2024

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on April 30, 2024 at the address(es) listed below:

Name	Email Address
Denise Carlon	on behalf of Creditor PNC BANK NATIONAL ASSOCIATION dcarlon@kmlawgroup.com
Jeffrey R. Hunt	on behalf of Creditor Borough of Bridgeville jhunt@grblaw.com
Jeffrey R. Hunt	on behalf of Creditor County of Allegheny jhunt@grblaw.com
Jeffrey R. Hunt	on behalf of Creditor Chartiers Valley School District jhunt@grblaw.com
Kenneth Steidl	on behalf of Debtor Caryn S. Falcone julie.steidl@steidl-steinberg.com ken.steidl@steidl-steinberg.com;ifriend@steidl-steinberg.com;asteidl@steidl-steinberg.com;todd@steidl-steinberg.com;rlager@steidl-steinberg.com;awerkmeister@steidl-steinberg.com;amattish@steidl-steinberg.com

Office of the United States Trustee

District/off: 0315-2

User: auto

Page 2 of 2

Date Rcvd: Apr 30, 2024

Form ID: pdf900

Total Noticed: 1

ustpreion03.pi.ecf@usdoj.gov

Ronda J. Winnecour

cmecf@chapter13trusteedpa.com

TOTAL: 7